IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COOKEVILLE DIVISION

EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION and)	
ERIC KING,)	
)	
Plaintiffs,)	
)	
)	NO. 2:03-0088
)	JUDGE HAYNES
LTD PARTS, INC.,)	
)	
Defendant.)	

Upon review of the file in this action, the Plaintiff did not submit a response as ordered by the Court. (Docket Entry No. 39). Plaintiff was informed that his failure to do so could result in dismissal.

ORDER

Accordingly, this action is **DISMISSED** with prejudice for Plaintiff's failure to prosecute. Fed. R. Civ. P 41(b). See <u>Link v. Wabash R.R. Co.</u>, 370 U.S. 626, 630 (1962). The Defendant's motion for summary judgment (Docket Entry No. 32) is **DENIED** as moot.

This is the Final Order in this action.

It is so **ORDERED.**

ENTERED this the H day of August, 2005.

WILLIAM J. HAYNES, JR. United States District Judge